

United States Courts
Southern District of Texas
FILED

SEP 06 2022

Nathan Ochsner, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

Vs.

Rodrigo Reyes

CRIMINAL COMPLAINT

Case Number: C-22-1008M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about September 5, 2022 in Brooks County, in the Southern District of Texas, defendant, **Rodrigo Reyes**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:
Official Title

See Attached Affidavit of U.S. Border Patrol Agent **Hector Villarreal**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

Signature of Complainant

Hector Villarreal

Printed Name of Complainant

September 6, 2022

DATE

at

Corpus Christi, Texas

City and State

Jason B. Libby U.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

PROBABLE CAUSE / FACTS:

On September 5, 2022, a Border Patrol Agent was performing immigration inspection duties at the Falfurrias, Texas Border Patrol Checkpoint. At approximately 1640, a silver in color 2013 Ford F-150 bearing License plates stopped for an immigration inspection of its occupants. Once the vehicle reached a complete stop, the Border Patrol Agent noticed that there was one occupant in the front seat later identified as REYES, Rodrigo. The Border Patrol Agent questioned REYES as to his citizenship, and REYES stated he was a United States Citizen. Prior to the vehicle's arrival the Border Patrol Agent noticed there was a windshield cover obstructing his view of the back of the driver's seat. The Border Patrol Agent asked REYES if he could grant his consent to look in the back of his driver seat, in which REYES granted consent. As REYES leaned forward, REYES hesitated and let out a long sigh. Based on his demeanor this hesitation the Border Patrol Agent interpreted it with deception. REYES leaned forward and removed the windshield cover that was obstructing the view behind the driver's seat. When REYES removed the windshield cover, the Border Patrol Agent used his flashlight to light up the back of the driver seat and he saw what appeared to be a person attempting to conceal behind the driver's seat of the single cab pick-up truck. Given a possible person concealing themselves, and prior smuggling events consistent with this concealment method he directed REYES to head to secondary for a thorough inspection of the vehicle. While on his way to secondary, he noticed that REYES's body posture had changed from being relaxed to those consistent to nervousness.

In secondary inspection, a Border Patrol Agent removed Reyes from his vehicle and proceeded to search the rear of the vehicle's cabin. The Border Patrol Agent found and removed two individuals trying to conceal themselves behind the driver's seat. Border Patrol Agents questioned both subjects as to their citizenship and determined that one subject was a citizen of Honduras and one subject a citizen of El Salvador. Both subjects had no legal documentation to remain in the United States legally.

MIRANDA RIGHTS WARNING:

All subjects were advised of their Miranda Rights in their respective languages. All subjects acknowledged their rights. All of the subjects agreed to provide a statement without an attorney present.

DEFENDANT STATEMENT: Rodrigo Reyes

REYES stated that he was from Mission, Texas. Reyes admitted that this was his second time getting apprehend by agents in Falfurrias. When asked where he was headed, REYES stated he was going to Houston, Texas. When asked why he was heading to Houston, he stated to drop off the people referring to the illegal aliens who were hiding behind the seats of the Ford F-150. Reyes stated he was going to get paid \$12,000 Dollars. Reyes stated that he got a call from "El Chaparro", who told him his truck was ready to go. When asked if he knew the aliens were there, he said yes. When asked if he knew they were illegal, REYES stated he did.

MATERIAL WITNESS STATEMENT: Martha Elizabeth Chavez De Cisneros

CHAVEZ DE CISNEROS stated to have knowledge of being in the United States without proper immigration documentation. CHAVES De Cisneros said that she crossed into the United States with her 11-year-old son on September 01, 2022, and paid \$16,000 to an unknown individual. CHAVEZ De Cisneros claimed that after crossing the river she was taken to an unknown stash house where she waited five days with her son. On September 5, 2022, the subject stated that she and her son were transported to another house. While at the other house she was separated from her son and was placed in the back of the Ford F-150 and told not to make a sound and not to move. Subject stated that the vehicle stood still for about 15 minutes before it started to move towards the checkpoint. Subject stated she was in the back of the truck for about an hour before being arrested at the Checkpoint.

DISPOSITION:

The facts of this case were presented to the Assistant United States Attorney's Office who accepted Rodrigo Reyes for prosecution of 8 USC 1324, Alien Smuggling. Martha Elizabeth Chavez De Cisneros will be held as a material witness in this case.


Hector Villarreal
Border Patrol Agent

Submitted by reliable electronic means, sworn to,
signature attested telephonically per Fed.R.Crim.P.4.1,
and probable cause found on September 6, 2022.


Jason B. Libby
United States Magistrate Judge